UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:17-cy-00529-FDW

)	
)	
)	ORDER
)	
))	
)))))))

THIS MATTER is before the Court upon its own motion.

On March 16, 2017, Obadiah Doctor, acting pro se, filed a complaint pursuant to 42 U.S.C. § 1983 (Doc. No. 1) and application to proceed in forma pauperis (Doc. No. 2). On October 17, 2017, the Court entered an Order granting Plaintiff's in forma pauperis application and finding the Complaint raised claims that survived initial review. (Doc. No. 7.)

Because Plaintiff failed to include summonses for Defendants with his Complaint, the Court directed the Clerk of Court to send him blank summons forms and instructed Plaintiff to complete and return the forms within fifteen (15) days. (Doc. No. 7.) On October 17, 2017, the Clerk mailed a copy of the Court's Order and blank summons forms to Plaintiff's civilian address.¹ (10/17/2017 Doc. Entry.)

As of entrance of this Order, Plaintiff has not returned the completed summons forms.

Nor has he contacted the Court to seek additional time to complete the forms, notify the Court of a change of address, or check on the status of his case. Accordingly, the Court shall dismiss this

¹ Plaintiff filed a notice of change of address on September 28, 2017, indicating he was to be released from prison and providing a post-release address. (Doc. No. 6.) North Carolina Department of Public Safety records show Plaintiff was released from prison on October 3, 2017. <u>See N.C. Dep't of Public Safety Offender Public Information, https://webapps.doc.state.nc.us./opi/offendersearch.do?method=view</u> (last viewed May 9, 2018).

action without prejudice for failure to prosecute.

IT IS, THEREFORE, ORDERED that Plaintiff's 42 U.S.C. § 1983 Complaint (Doc.

No. 1) is **DISMISSED** without prejudice to Plaintiff's ability to seek reinstatement of this action.

Signed: May 9, 2018

Frank D. Whitney

Chief United States District Judge